IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1033 OF 2006
IN
SUMMARY SUIT NO.3705 OF 2004

M/s.A.Himanshu & Co. ....Plaintiff
V/s.
M/s.B.V. Jewels & Ors. ....Defendants
And
Jigar R. Gondalia ....Respondent

Ms.Priya Agarwal i/b Halai & Co. for the Plaintiff.

Mr.D.H. Mehta i/b M/s.Pathak & Co. for Defendant Nos.1 to 5.

Mr.Panchmatia i/b Panchamatia & Co. for the Respondent.

CORAM : S.J. VAZIFDAR, J.
DATED : 25TH JULY, 2007.

P.C. :

1. I did not find it necessary to adjourn the matter to enable the Plaintiff to file an affidavit in rejoinder as in my view some of the allegations would require evidence which would also be relevant at the final hearing of the suit. In the circumstances, the Notice of Motion is disposed of without any orders but with liberty to the Plaintiff to file fresh proceedings for the same reliefs after the trial of the suit.